

## **IC 13-18-20**

### **Chapter 20. NPDES Permit Fees**

#### **IC 13-18-20-1**

##### **Assessment**

Sec. 1. Notwithstanding NPDES fees established under IC 13-16-1, the annual fees contained in this chapter shall be assessed to each facility that has a NPDES permit.

*As added by P.L.1-1996, SEC.8.*

#### **IC 13-18-20-2**

##### **Industrial permits**

Sec. 2. For industrial permits, other than coal mine permits or stone quarry permits, the annual base fee per facility is:

(1) one thousand dollars (\$1,000) for a major permit; and

(2) four hundred dollars (\$400) for a minor permit;

plus the following annual discharge flow fee per facility:

Daily Average Actual Flow in MGD		Fee
.001 -	.05	\$240
.051 -	.1	\$360
.101 -	.2	\$840
.201 -	.3	\$1,200
.301 -	.5	\$1,680
.501 -	1.0	\$2,060
1.001 -	2.0	\$3,600
2.001 -	5.0	\$5,400
5.001 -	10.0	\$8,400
10.001 -	15.0	\$12,000
15.001 -	30.0	\$16,800
30.001 -	50.0	\$22,800
50.001 -	100.0	\$28,800
	>100.0	\$34,800

Annual flow fees are reduced by twenty percent (20%) for discharges that are comprised of greater than ninety percent (90%) of non-contact cooling water.

*As added by P.L.1-1996, SEC.8.*

#### **IC 13-18-20-3**

##### **Annual fees instead of individual permit fees**

Sec. 3. Each facility for which a coal mine operator files a notice of intent under the general coal mine permit rules adopted under IC 13-18-18 shall pay an annual fee of five hundred dollars (\$500) instead of the following individual permit fees. The annual fee must accompany the initial notice of intent and is due each year on the anniversary date of the date when the initial notice of intent was filed.

Outfalls	Fee
1 Outfall	\$500
2-3 Outfalls	\$750
4-6 Outfalls	\$1,000
7-10 Outfalls	\$1,500
11-20 Outfalls	\$2,500
21-99 Outfalls	\$3,500

*As added by P.L.1-1996, SEC.8.*

#### **IC 13-18-20-4**

##### **Stone quarry permits**

Sec. 4. For stone quarry permits, the annual fee is as follows:

Outfalls	Fee
1 Outfall	\$750
2 Outfalls	\$1,500
3 Outfalls	\$2,000
4 Outfalls	\$2,500

*As added by P.L.1-1996, SEC.8.*

#### **IC 13-18-20-5**

##### **Municipal permits**

Sec. 5. For municipal permits, the annual base fee per facility is:

(1) one thousand five hundred dollars (\$1,500) for a major permit; and

(2) four hundred dollars (\$400) for a minor permit;

plus the following annual discharge flow fee per facility:

Daily Average Actual

Flow in MGD	Fee
.001 - . .05	\$300
.051 - . .1	\$600
.101 - . .2	\$2,000
.201 - . .3	\$4,000
.301 - . .5	\$5,000
.501 - . 1.0	\$6,000
1.001 - 2.0	\$7,000
2.001 - 5.0	\$8,000
5.001 - 10.0	\$10,000
10.001 - 15.0	\$13,000
15.001 - 30.0	\$15,000
30.001 - 50.0	\$20,000
50.001 - 100.0	\$22,000

*As added by P.L.1-1996, SEC.8.*

#### **IC 13-18-20-6**

##### **State permits**

Sec. 6. For state permits, the annual base fee per facility is:

(1) one thousand dollars (\$1,000) for a major permit; and

(2) four hundred dollars (\$400) for a minor permit;

plus the following annual discharge flow fee per facility:

Daily Average Actual

Flow in MGD		Fee
.001 -	.05	\$240
.051 -	.1	\$360
.101 -	.2	\$840
.201 -	.3	\$1,200
.301 -	.5	\$1,680
.501 -	1.0	\$2,060
1.001 -	2.0	\$3,600
2.001 -	5.0	\$5,400
5.001 -	10.0	\$8,400
10.001 -	15.0	\$12,000
15.001 -	30.0	\$16,800
30.001 -	50.0	\$22,800
50.001 -	100.0	\$28,800
>	100.0	\$34,800

*As added by P.L.1-1996, SEC.8.*

**IC 13-18-20-7**

**Federal permits**

Sec. 7. For federal permits, the annual base fee per facility is:

(1) one thousand dollars (\$1,000) for a major permit; and

(2) four hundred dollars (\$400) for a minor permit;

plus the following annual discharge flow fee per facility:

Daily Average Actual

Flow in MGD		Fee
.001 -	.05	\$240
.051 -	.1	\$360
.101 -	.2	\$840
.201 -	.3	\$1,200
.301 -	.5	\$1,680
.501 -	1.0	\$2,060
1.001 -	2.0	\$3,600
2.001 -	5.0	\$5,400
5.001 -	10.0	\$8,400
10.001 -	15.0	\$12,000
15.001 -	30.0	\$16,800
30.001 -	50.0	\$22,800
50.001 -	100.0	\$28,800
>	100.0	\$34,800

*As added by P.L.1-1996, SEC.8.*

**IC 13-18-20-8**

**Semipublic permits**

Sec. 8. For semipublic permits, the annual base fee per facility is:

(1) seven hundred fifty dollars (\$750) for a major permit; and

(2) two hundred dollars (\$200) for a minor permit;

plus the following annual discharge flow fee per facility:

Daily Average Design		Fee
Flow in MGD		
.001 -	.05	\$150
.051 -	.1	\$300
.101 -	.2	\$1,000
.201 -	.3	\$2,000
.301 -	.5	\$2,500
.501 -	1.0	\$3,000
1.001 -	2.0	\$3,500
2.001 -	5.0	\$4,000
5.001 -	10.0	\$5,000
10.001 -	15.0	\$6,500
15.001 -	30.0	\$7,500
30.001 -	50.0	\$10,000
50.001 -	100.0	\$11,000

*As added by P.L.1-1996, SEC.8.*

### **IC 13-18-20-9**

#### **Public water system permits**

Sec. 9. For public water system permits, the annual base fee per facility is:

- (1) one thousand dollars (\$1,000) for a major permit; and
- (2) four hundred dollars (\$400) for a minor permit;

plus the following annual discharge flow fee per facility based on projected daily average flow in MGD as set forth in a facility NPDES permit:

Projected Daily Average		Fee
Flow in MGD		
.001 -	.05	\$240
.051 -	.1	\$360
.101 -	.2	\$840
.201 -	.3	\$1,200
.301 -	.5	\$1,680
.501 -	1.0	\$2,060
1.001 -	2.0	\$3,600
2.001 -	5.0	\$5,400
5.001 -	10.0	\$8,400
10.001 -	15.0	\$12,000
15.001 -	30.0	\$16,800
30.001 -	50.0	\$22,800
50.001 -	100.0	\$28,800
>	100.0	\$34,800

*As added by P.L.1-1996, SEC.8. Amended by P.L.184-2002, SEC.24.*

### **IC 13-18-20-10**

#### **Storm water permits**

Sec. 10. (a) For storm water permits for construction activity, a fee of one hundred dollars (\$100) shall be submitted with a notice of intent (NOI).

(b) For storm water permits for industrial activity, the annual fee

is one hundred dollars (\$100).  
*As added by P.L.1-1996, SEC.8.*

### **IC 13-18-20-11**

#### **Industrial waste pretreatment permit**

Sec. 11. For an industrial waste pretreatment permit, the annual fee is three hundred fifty dollars (\$350).

*As added by P.L.1-1996, SEC.8.*

### **IC 13-18-20-11.5**

#### **Concentrated animal feeding operations**

Sec. 11.5. (a) In addition to the fee under section 12 of this chapter, when a person files a notice of intent with the department concerning:

- (1) an initial; or
- (2) the renewal of a;

general NPDES permit for a CAFO, the person must remit a permit fee of one hundred dollars (\$100) to the department.

(b) In addition to the fee under section 12 of this chapter, when a person files an application with the department concerning:

- (1) an initial; or
- (2) the renewal of an;

individual NPDES permit for a CAFO, the person must remit a permit fee of two hundred fifty dollars (\$250) to the department.

(c) If a person is subject to a fee for a CAFO under this section, no other fee under this chapter applies to the CAFO other than the fee under section 12 of this chapter.

*As added by P.L.24-2004, SEC.4.*

### **IC 13-18-20-12**

#### **Application fee**

Sec. 12. (a) When a person files an application with the department concerning a NPDES permit, including:

- (1) an application for an initial permit;
- (2) the renewal of a permit;
- (3) the modification of a permit; or
- (4) a variance from a permit;

the person must remit an application fee of fifty dollars (\$50) to the department.

(b) If a person does not remit an application fee to the department, the department shall deny the person's application.

*As added by P.L.1-1996, SEC.8.*

### **IC 13-18-20-13**

#### **Assessment**

Sec. 13. NPDES annual fees begin accruing January 1 of each year. The department shall assess the fees not later than January 15 of that year.

*As added by P.L.1-1996, SEC.8.*

#### **IC 13-18-20-14**

##### **Delinquency charge**

Sec. 14. (a) In addition to the penalties described under:

- (1) IC 13-30-4-1;
- (2) IC 13-30-4-2; and
- (3) IC 13-30-5-1;

if a person does not remit an annual NPDES fee or an installment established by the department under IC 13-16-2 to the department not more than sixty (60) days after the date the fee is assessed or not more than thirty (30) days after the date the installment is due, the person shall be assessed a delinquency charge equal to ten percent (10%) of the annual fee or ten percent (10%) of the installment, whichever is applicable.

(b) A delinquency charge, if applicable, is due and payable sixty (60) days after the date an annual NPDES fee is assessed or thirty (30) days after the date the installment is due.

*As added by P.L.1-1996, SEC.8. Amended by P.L.130-1996, SEC.2; P.L.2-1997, SEC.41.*

#### **IC 13-18-20-15**

##### **Revocation of permit**

Sec. 15. If a person does not remit an annual NPDES fee or an installment established by the department under IC 13-16-2 and any applicable delinquency charge to the department not more than ninety (90) days after the date the fee is assessed or not more than sixty (60) days after the date the installment is due, the department may revoke the person's NPDES permit. However, before the department may revoke the permit:

- (1) not earlier than sixty (60) days after the date the annual NPDES fee is assessed or not earlier than thirty (30) days after the installment is due; and
- (2) not later than thirty (30) days before the department revokes the permit;

the department must deliver a written notice to the person that describes what fees and delinquency charges are due and indicates that the department may revoke the person's permit for nonpayment after thirty (30) days.

*As added by P.L.1-1996, SEC.8. Amended by P.L.130-1996, SEC.3; P.L.2-1997, SEC.42.*

#### **IC 13-18-20-16**

##### **Deposit of fees**

Sec. 16. The fees and delinquency charges established under this chapter:

- (1) are payable to the department; and
- (2) shall be deposited in the environmental management permit operation fund established by IC 13-15-11-1.

*As added by P.L.1-1996, SEC.8.*